

REMARKS

In the last office action in the parent case (mailed 2/22/2006), all of the claims 1-11 were rejected for being obvious based on the combined teachings of Landen (6,449,739), Klemets (6,449,653), and Chen (5,812,780). With regard to the independent claims 1 and 9, Landen is cited to show a "displaying" step, a "choosing" step, a "generating" step, and a "coupling" step as recited in the office action on the bottom of page 2 and top of page 3. But the office action admits that Landen "does not teach the server is a video server, the system is a video-on-demand system, and the commands are VCR-like commands". See lines 9-10 on page 3 of the office action.

Klemets is cited to show a video-on-demand system. However, the office action admits that "the combined system of Landen and Klemets do not teach storing in a single computer, a representation of multiple simulated control terminals for said video server. See the last sentence on page 3 of the office action. Therefore, Chen is cited to show a single computer which stores a representation of multiple simulated control terminals.

Accordingly, by the present Request For Continued Examination and the accompanying Preliminary Amendment, two new independent claims 12 and 13 are presented which replace the above claims 1-9, and which add new limitation that are not taught or suggested by Landen, Klemets, and Chen. These new claim limitations will now be pointed out.

One new limitation is recited in the "storing" step wherein the single computer stores "respective current states for each of several simulated control terminals". Each current state identifies "a movie that was last

requested by" and "a VCR-like command that was last sent from" the corresponding simulated control terminal. Support for this limitation comes from item 32d in Fig. 5 and its description at lines 19-25 on page 15.

A second new limitation is recited in the "displaying" step wherein "a pointer" is displayed for selecting any one particular simulated control terminal, and "the current state of the one selected simulated control terminal" is also displayed. Support for the pointer limitation comes from item 32c in Fig. 5 and its description at lines 12-18 on page 15. Support for displaying the current state of simulated control terminal that is selected by the pointer comes from the description at lines 25-29 on page 15.

A third limitation is recited in the "generating" step wherein an output signal is sent from said single computer to said video server as "an immediate response" to a sensing step. The sensing step requires an operator of the single computer to point a cursor and click, via a mouse, on one of several control buttons that are displayed. The output signal which is sent as an immediate response "represents said one particular control button that is clicked and identifies said selected simulated control terminal". Support for this limitation comes from item 32e in Fig. 5 and its description at lines 5-14 on page 16.

A fourth limitation is recited in the "updating" step wherein the current state of the selected simulated control terminal is changed to indicate the movie that was last requested and VCR-like command that was last sent, as recited in the storing step. Support for this limitation comes from lines 1-4 on page 16.

Due to the above four limitations, an operator of the single computer is able to chose, in real time, when each simulated control terminal requests a movie and/or sends a VCR-like command. To select a particular simulated control terminal, the operator simply uses the pointer. To request a particular movie or send a particular VCR-like command from the selected simulated control terminal, the operator simply clicks on a control button. The sequence in which the simulated control terminals are selected, and the movies are requested, and the VCR-like commands are sent is determined entirely in real time by the operator. Also, by being able to see on the visual display which movie was last requested and which VCR-like command was last sent from each simulated control terminal that is selected, the operator's task of having to remember all of that information is eliminated.

By comparison, in Landen, a system is disclosed wherein multiple "agent computers" simulate the actions of users of a "transactional server" according to pre-defined "execution schedules". In Fig. 1, the agent computers are all of the items 32, and the transactional server is item 30. The "execution schedules" which pre-define the user simulated actions are described on lines 44-47 of column 5, and lines 21-23 of column 6. Since the execution schedules are pre-defined, they are inflexible in comparison to the command sequences which are selected in real time as recited by claims 12 and 13.

Also by comparison, in Klemets, a system is disclosed wherein multiple "client computers" are sent video streams from a "stream server". In Fig. 2, the multiple client computers are shown as item 240, and the stream server is shown as item 220. However, no method or

apparatus is disclosed in Klemets for testing the stream server 220.

Further by comparison, in Chen, a system is disclosed wherein the performance of a "server" is evaluated by a "single client computer" which uses "client profiles" to simulate the actions of a "plurality of users". In Fig. 2, the server is item 30; the single client computer is item 26; and that single client computer simulates the actions of 200 users. However, the simulation of each user requires a corresponding "client profile" which pre-defines the "nature, timing, and frequency" of the user activities. This is explained at lines 26-30 in column 4, and lines 54-58 in column 8. Since the client profiles are pre-defined, they are inflexible in comparison to the command sequences which are selected in real time as recited by claims 12 and 13.

Based on the above differences which have been pointed out, it is respectfully submitted that the present claims 12 and 13 are non-obvious over the combined teachings of Landen, Klemets, and Chen. Accordingly, an early Notice of Allowance of claims 12 and 13 is requested.

Respectfully submitted,

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date: March 31, 2006

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